

IN THE UNITED STATES DISTRICT COURT FOR THE  
MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION

UNITED STATES OF AMERICA	)	
	)	NO. 3:18-cr-00237
v.	)	JUDGE RICHARDSON
	)	
TERIOUS D. RAMEY	)	

**ORDER DENYING DEFENDANT’S MOTION TO SUPPRESS**

Before the Court is Defendant’s Motion to Suppress (Doc. No. 30). Defendant argued that the police officers violated the Fourth Amendment in their search of the blue Hyundai Sonata (the “Vehicle”) and that all evidence seized from the Vehicle as well as any alleged statements from Defendant must be suppressed. The Government presented two theories in opposition to the motion to suppress. First, the Government argued that the officers had probable cause to arrest Defendant for possession of marijuana and, in turn, the requisite reasonable belief to search the Vehicle incident to that arrest. The Government further argued that the officers had the requisite probable cause to search the Vehicle under the automobile exception.

An officer must consider the totality of the circumstances before determining whether he has probable cause to make an arrest. *Klein v. Long*, 275 F.3d 544, 551 (6th Cir. 2001). Police may search a vehicle incident to a recent occupant’s arrest only if the arrestee is within reaching distance of the passenger compartment at the time of the search or it is reasonable to believe the vehicle contains evidence of the offense of arrest. *Arizona v. Gant*, 556 U.S. 332, 351 (2009).

“The automobile exception allows officers to search a vehicle without a warrant if they have probable cause to believe that the vehicle contains evidence of a crime.” *United States v. Galaviz*, 645 F.3d 347, 355 (6th Cir. 2011) (internal quotation marks and citation omitted). “Probable cause exists when there is a ‘fair probability,’ under the totality of the circumstances,

that contraband or evidence of a crime will be found in a particular place.” *United States v. Helton*, 314 F.3d 812, 819 (6th Cir. 2003) (quoting *United States v. Davidson*, 936 F.2d 856, 859 (6th Cir. 1991)). “In determining whether probable cause exists,” the Court again “look[s] to the objective facts known to the officers at the time of the search.” *United States v. Domenech*, 430 F. App’x 392, 396 (6th Cir. 2011) (citations omitted).

After reviewing the briefs, the above-stated standards, and the evidence and argument presented at the evidentiary hearing on April 4, 2019, the Court **DENIES** Defendant’s Motion to Suppress (Doc. No. 30) for the reasons stated on the record at the evidentiary hearing.

IT IS SO ORDERED.

  
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ELI RICHARDSON  
UNITED STATES DISTRICT JUDGE